

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Peter Joseph Tripodi and Olga Nicole
Tripodi, fka Olga Nicole Andrusiak,

DEBTORS.

CASE NO.: 09-37479 cgm

Chapter: 7

JUDGE: CECELIA G. MORRIS

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ORDER TERMINATING AUTOMATIC STAY BY DEFAULT

Upon the unopposed motion of U.S. Bank National Association ("Movant"), dated November 5, 2009 and heard before the Court on December 1, 2009 seeking relief from the automatic stay, ~~and after preliminary hearing this date,~~ it is hereby

ORDERED that the automatic stay instituted upon filing of the within bankruptcy case is hereby terminated pursuant to 11 U.S.C. §362 (d)(1) and 11 U.S.C. §362 (d)(2) as to Movant`s, and its successors and/or assigns, lien interest in the property located at 372 Bellvale Road, Chester, NY 10990, and *it is further*

ORDERED, *that* Movant shall account to this estate for any surplus proceeds realized after sale.

Dated: December 8, 2009
Poughkeepsie, New York

/s/ Cecelia G. Morris
Hon. Cecelia G. Morris
United States Bankruptcy Judge